

EXHIBIT 5

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

IN RE: : Case No. 21-30589-JCW

LTL MANAGEMENT LLC, : Chapter 11

Debtor, : Charlotte, North Carolina

: Friday, November 5, 2021

: 9:04 a.m.

: :

LTL MANAGEMENT LLC, : AP 21-03032-JCW

Plaintiff, :

V. :

THOSE PARTIES LISTED ON :
APPENDIX A TO COMPLAINT and
JOHN AND JANE DOES 1-1000, :

Defendants. :

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VOLUME 2

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE J. CRAIG WHITLEY,
UNITED STATES BANKRUPTCY JUDGE

Audio Operator: COURT PERSONNEL

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1 I'm going to ask Patrick to kick us right back to
2 Exhibit 2 for a moment, Paragraph 1, little Romanette (iv).

3 BY MR. JONES:

4 Q And this, again, is in the transfer of the assets
5 paragraph. Do you, do you see little Romanette (iv), Mr. Kim?

6 A Yes.

7 Q And, in fact, deals with such things as plants and where
8 they're located, does it not?

9 A It does.

10 Q What does it say there?

11 A It says, "All real estate, improvements, and appurtenances
12 thereto shall be transferred to be the property of the
13 subsidiary."

14 Q Effective when, sir?

15 A Effective January 1, 1979.

16 Q Thank you, Mr. Kim.

17 I'm going to change topics and talk just for a moment about
18 the Ingham verdict.

19 You were asked yesterday about the verdict form in that
20 case, is that right?

21 A Yeah, that is true.

22 Q And you were asked, more specifically, about punitive
23 damages, am I right?

24 A Yes. I was, I was directed to the punitive damages lines.

25 Q What do you know about what each of the 22 plaintiffs in

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1 the Ingham case received as a matter of compensatory damages?

2 A They all received the same amount.

3 Q And did that matter -- did exposure period, that is, when
4 in time they were exposed to or alleged to have been exposed to
5 talc, matter?

6 A No. So there are 22 plaintiffs in one case ranging in, in
7 exposure time periods and, and ranging in what products they
8 used at what periods of time, you know. There was differences
9 in their injuries in terms of how severe they were. We had --
10 some were, had been deceased. Others were in remission.
11 Regardless of all that, they, they were all awarded the same
12 amount in compensatory damages.

13 Q We're going to pull up a slide here, sir, and ask you to
14 look at it with me, which will be a summary of the plaintiffs'
15 fact sheets in, in that case.

16 MR. JONES: That's going to be new Exhibit, Debtor's
17 Exhibit 80 --

18 UNIDENTIFIED SPEAKER: 8.

19 MR. JONES: - 8. 88.

20 THE COURT: 88?

21 MR. JONES: 88. That was either Carl Eller or Jim
22 Page. It'll come back.

23 BY MR. JONES:

24 Q Sir, the -- here we have different years of exposure -- I'm
25 sorry -- reflected that you just discussed --

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1 A Yeah.

2 Q -- but the same compensatory award, is that right?

3 A Yes.

4 Q And these are listing the plaintiffs on the left-hand side?

5 A They are.

6 Q The alleged period of exposure in the second column?

7 A Yes.

8 Q Whether or not they were exposed to Shower to Shower in the

9 third column --

10 A Yes.

11 Q -- on the left?

12 And then the total compensatory award you referred to, is

13 that right?

14 A That's true, yes.

15 Q And those numbers are all the same?

16 A They are all the same.

17 MR. SILVERSTEIN: Your, your Honor? I'm sorry.

18 Just --

19 THE COURT: Yes, sir, Mr. Silverstein.

20 MR. SILVERSTEIN: Can -- can we -- we've, we've never

21 seen this before. Can we get some foundation for what this is

22 that we're all looking at?

23 THE COURT: I'll take that as an objection.

24 Sustained.

25 MR. SILVERSTEIN: Yes.

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1 THE COURT: Go ahead.

2 BY MR. JONES:

3 Q Mr. Kim, can you tell the Court what this --

4 A Yes.

5 Q -- a summary of?

6 A Yes.

7 So, so I attended the trial of Ingham. All the -- one of
8 the things that, that plaintiffs' counsel did was they asked
9 every, every plaintiff what years of exposure they were exposed
10 to and what products they used.

11 So this is a just a summary of the alleged -- and it's also
12 in the complaint and fact sheets. And so this is just a
13 summary of the data from those sources that tell us what the
14 alleged use was of, of Johnson's Baby Powder -- and so that
15 would be the entire usage -- what was the alleged use of Shower
16 to Shower and, and, and the dates. And then the award is just
17 from the verdict sheet, how much each plaintiff was awarded.

18 Q And, and, sir, the fact sheets are documents generated by
19 the plaintiffs in the case?

20 A They are.

21 Q And they've been all provided to counsel for, our
22 colleagues on the other side of the table here today.

23 A I -- I --

24 Q I'm not asking you that question.

25 A Okay.